

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDGARDO L. PEREZ-DE LEON,

Plaintiff,

Case No. 12-CV-14577

vs.

BROOKE SHARRAD,

Defendant.

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ORDER GRANTING MOTION FOR EXTENSION OF TIME TO  
RESPOND TO MOTION FOR SUMMARY JUDGMENT (DOC. # 13),  
DENYING AS MOOT MOTION FOR WAIVER OF FEES (DOC. # 12),  
AND STRIKING AMENDED COMPLAINT AND JURY DEMAND (DOC. # 11)

Plaintiff has moved for a 60 day extension of time to file his response to defendant's pending motion for summary judgment, citing a requirement for additional time for research and to prepare his response. Plaintiff has also moved for "waiver of fees," but cites no court fees he is required to pay in this case that was removed from Oakland County Circuit Court, and the court is aware of none. Finally, although defendant's answer to the complaint was filed in October 2012, plaintiff has now filed an "amended complaint and jury demand," without first seeking leave of court or giving defendant an opportunity to respond to a request. See Fed. R. Civ. P. 15(a).

Accordingly, plaintiff's motion for an extension of time in which to file his response to the motion for summary judgment is hereby **GRANTED**. Plaintiff may file his response on or before **August 5, 2012**. A reply may be filed in accordance with applicable rules. The waiver of fees request, which does not identify any court fees

plaintiff is required to pay, is **DENIED AS MOOT**. Finally, plaintiff's amended complaint is hereby **STRICKEN** for failure to first seek leave of court. If desired, plaintiff may seek leave to amend by way of separate request, allowing defendant to respond, prior to or in conjunction with the briefing on the motion for summary judgment.

**IT IS SO ORDERED.**

Dated: June 10, 2013

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 10, 2013, by electronic and/or ordinary mail and also on Edgardo L. Perez-De Leon, 7109 Pebble Park Drive, West Bloomfield, MI 48322.

s/Barbara Radke  
Deputy Clerk